

United States Courts  
Southern District of Texas  
FILED

OCT 14 2021

Nathan Ochsner, Clerk of Court

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS

UNITED STATES OF AMERICA

Vs.

Roxanne Martinez

CRIMINAL COMPLAINT

Case Number: C-21-1279M

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about October 13, 2021 in Kenedy County, in the Southern District of Texas, defendant, Roxanne Martinez

did knowingly or in a reckless disregard of the fact that an alien had come to, entered, or remained in the United States in violation of law, transport, or move or attempt to transport or move such alien within the United States by means of transportation or otherwise, in furtherance of such violation of law

in violation of Title 8 United States Code, Section(s) 1324  
I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts:  
Official Title

See Attached Affidavit of U.S. Border Patrol Agent **Antonino Gonzalez Jr.**

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Submitted by reliable electronic means, sworn to, signature attested telephonically per Fed.R.Crim.P.4.1, and probable cause found on the:

October 14, 2021

Date

Julie K. Hampton U.S. Magistrate Judge

Name and Title of Judicial Officer

at

Corpus Christi, Texas

City and State

Antonino Gonzalez Jr.

Signature of Complainant

Antonino Gonzalez Jr.

Printed Name of Complainant

[Signature]

Signature of Judicial Officer

**AFFIDAVIT**

The information contained in this report/affidavit is based upon my personal participation in the investigation, which included, but is not limited to information relayed to me by other agents and officers participating in the investigation.

**Probable Cause/Facts:**

On October 13, 2021, at approximately 4:50 a.m., a red Dodge Charger arrived at the Javier Vega Jr. Border Patrol Checkpoint near Sarita, Texas. The Border Patrol Agent observed three subjects in the vehicle, the driver later identified as Roxanne MARTINEZ, a female front seat passenger and a female rear seat passenger. Both the passengers appeared to be asleep. The agent asked MARTINEZ to wake the passengers and she told the agent they were asleep because they just got out of work at the hospital. Both female passengers were wearing medical scrubs. When the front seat passenger woke up the agent asked her if she was a United States citizen and she could not answer, she appeared to be unable to speak. MARTINEZ tried to answer for both passengers saying they were United States citizens. The agent attempted to question the rear seat passenger later identified as Luceni Karina BAMACA-Paxtor, but she appeared to be completely unresponsive, and her hair was completely covering her face. The agent was not satisfied with the immigration inspection of the passengers. Therefore, he referred the vehicle to the secondary inspection area for further inspection.

At the secondary inspection area, agents discovered both the front seat passenger, Flor Cecilia RIVERA-Berrios, a citizen of Honduras, and rear seat passenger, BAMACA-Paxtor, a citizen of Guatemala were illegally present in the United States.

Agents arrested MARTINEZ for Alien Smuggling. All subjects were escorted into the checkpoint for further processing. **NOTE:** The two smuggled aliens appeared to be under the influence of a narcotic.

**Miranda Rights:**

Agents advised all subjects of their Miranda Rights in their respective languages. MARTINEZ and one smuggled alien invoked their Miranda Rights and did not provide statements.

**PRINCIPAL STATEMENT (Roxanne MARTINEZ):**

MARTINEZ invoked her Miranda Rights and declined to provide any additional information regarding her involvement in this alien smuggling attempt.

After MARTINEZ was read her Miranda Rights, she freely stated to a Border Patrol Agent, the two aliens were given Xanax prior to their arrival at the checkpoint by someone who had the vehicle and aliens ready for her to transport.

**NOTE:** MARTINEZ was arrested by Border Patrol on two previous occasions for attempting to smuggle illegal aliens. Once on September 26, 2020, and a second time on November 5, 2020, on both occasions MARTINEZ was released.

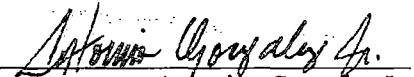
**MATERIAL WITNESS (Luceni Karina BAMACA-Paxtor):**

BAMACA stated she entered illegally into the United States approximately 10 days ago (October 3, 2021) from Mexico. She stated she was at two different stash houses. She stated she did not know the other two females in the vehicle she was encountered in. BAMACA stated she was taken to a third stash house on today's date (October 13, 2021) where she waited for a short time before a lady arrived to pick her up. She stated she was being transported to Houston, Texas. BAMACA stated before leaving the last house an unknown male subject gave her and the other female illegal alien a small white bar-like pill that

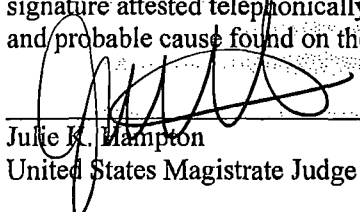
made her feel dizzy, sleepy, and tired. She stated she was not told what the pill was for. BAMACA stated the pill, knocked her out and the next thing she remembered was being woken up by the Border Patrol Agent at the checkpoint. BAMACA described the driver as being a little taller than her, medium build, medium length hair and light skin.

**DISPOSITION:**

The facts of this case were presented to the Assistant United States Attorney Office who accepted Roxanne MARTINEZ for prosecution of 8 USC 1324, Alien Smuggling. Luceni Karina BAMACA-Paxtor will be held as a material witness.

  
Antonino Gonzalez Jr.  
Border Patrol Agent

Submitted by reliable electronic means, sworn to,  
signature attested telephonically per Fed.R.Crim.P.4.1,  
and probable cause found on the October 14, 2021.

  
Julie K. Hampton  
United States Magistrate Judge